

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ROY MOSE, #197649, )  
                        )  
Plaintiff,           )  
                        )  
v.                     ) CIVIL ACTION NO. 2:05cv947-F  
                        )  
BOB RILEY, et al., )  
                        )  
Defendants.          )

**ORDER**

On November 22, 2005, the Magistrate Judge filed a Recommendation (Doc. #8) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED that the Recommendation is adopted and that this case is DISMISSED without prejudice for failure of the plaintiff to pay the initial partial filing fee in compliance with the orders of this court.

Done this the 9<sup>th</sup> day of January, 2006.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE